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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 1st September, 1961:—

Issue No.	No. and Date	Issued by	Subject
87	G.S.R. 1062, dated 25th August, 1961.	Ministry of Food and Agriculture.	The Rice (Madhya Pradesh) Price Control (Second Amendment) Order, 1961.
	G.S.R. 1063, dated 25th August, 1961.	Do.	The Rice (Punjab) Second Price Control (Tenth Amendment) Order, 1961.
88	G.S.R. 1085, dated 30th August, 1961.	Ministry of Home Affairs.	The Ministers' (Allowances, Medical Treatment and other Privileges) Amendment Rules, 1961.
89	G.S.R. 1086, dated 1st September, 1961.	Ministry of Finance.	Exempting raw jute from whole of the customs duty under conditions etc. specified therein.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on demand to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (1)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

CABINET SECRETARIAT
 (Department of Statistics)

New Delhi the 28th August 1961

G.S.R. 1087.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Statistical Organisation, Cabinet Secretariat (Recruitment to certain Class III posts, General Central Service) Rules, 1958, issued with the

notification of the Cabinet Secretariat No. G.S.R. 871, dated the 25th September, 1958, namely:—

(1) These rules may be called the Central Statistical Organisation, Cabinet Secretariat (Recruitment to certain Class III posts, General Central Service) Second Amendment Rules, 1961.

(2) In the Schedule to the Central Statistical Organisation, Cabinet Secretariat (Recruitment to certain Class III Posts, General Central Service) Rules, 1958,—

(i) Column 12 and the entries mentioned therein shall be omitted.

(ii) against items 1 to 5 for the existing entries under column 4, the following entries shall, respectively be substituted, namely:—

"Rs. 370—20—450—25—475"

"Rs. 250—10—290—15—320—EB—15—380"

"Rs. 150—5—160—8—240—EB—8—280—10—300"

"Rs. 110—3—131—4—155—EB—4—175—5—180"

"Rs. 110—3—131—4—139".

(iii) against item 3, (a) in column 1, after the existing entry, the words and brackets "(Senior Scale)" shall be inserted; (b) for the existing entries under columns 8 to 11, the following entries shall be substituted, namely:—

8	9	10	11
75% by direct recruitment, failing which by transfer from other offices and 25% by departmental promotion from the grade of Computers in the junior scale (Rs. 110—180) with two years' service.	These will not apply in the case of departmental candidates. In the case of transfer condition of age-limit only will not apply.	75% Non-selection post.	

(iv) after item 3 and the entries relating thereto the following item and entries shall respectively be inserted, namely:—

1	2	3	4	5	6
3-A Computer (junior scale)	One	Class III, Non-Ministerial, Non-gazetted.	Rs. 110—3—131—4—155—EB—4—175—5—180.	18—25 years with relaxation as provided under Govt. orders from time to time.	Matriculation or equivalent examination with training in the operation of Hollerith Punching and Verifying machines or Tabulating and Sorting machines or other Accounting machines.
7	8	9	10	11	
Two years	By direct recruitment failing which by transfer from other offices.	The educational qualifications prescribed will apply.	100%	Does not arise.	

[No. F. 2/10/61-Estt.(1).]

K. L. TULI, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 24th August 1961

G.S.R. 1088.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Passport and Emigration Organisation (Initial Constitution and Maintenance) Rules, 1959, namely:—

1. These rules may be called the Central Passport and Emigration Organisation (Initial Constitution and Maintenance) Amendment Rules, 1961.

2. In rule 13 of the Central Passport and Emigration Organisation (Initial Constitution and Maintenance) Rules, 1959—

(1) In sub-rule (4)—

(a) in clause (i), for the figures and abbreviation "50%", the figures and abbreviation "75%" shall be substituted.

(b) in clause (ii), for the figures and abbreviation "50%", the figures and abbreviation "25%" shall be substituted.

(2) In sub-rule (5), for the words "by direct recruitment through the Union Public Service Commission on the basis of Stenographers' Test", the following shall be substituted, namely:—

"will be filled by recruitment in the following order of preference—

(i) through the Employment Exchange in accordance with the rules on the subject as amended from time to time;

Note.—Departmental officers of Grade VII who have completed five years of service in that grade or in an equivalent post in either of the amalgamated organisations may be considered along with the candidates sponsored by the Employment Exchange. The minimum essential qualification shall be a speed of 100 words per minute in Shorthand and 40 words per minute in Typewriting.

(ii) by transfer of Stenographers from other Government Offices."

(3. In sub-rule (6), for clause (ii), the following clause shall be substituted, namely:—

"(ii) The balance of the vacancies will be filled by recruitment in the following order of preference—

(a) from among candidates who have qualified themselves in the Clerks' Grade Examination conducted by the Union Public Service Commission;

(b) through the Employment Exchange in accordance with the rules on the subject as amended from time to time;

(c) by transfer from other Government Offices.

The minimum educational qualification shall be Matriculation of an Indian University or equivalent in respect of the candidates belonging to all the above three categories."

[No. CPEO/74/61.]

[F. 6(31)-PV.IV/59.]

N. K. GHOSE, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 30th August 1961

G.S.R. 1089.—In pursuance of sub-rule (1), and the first proviso to sub-rule (2), of rule 4 of the I.A.S. (Cadre) Rules, 1954, the Central Government, in consultation with the Government of Rajasthan, hereby make the following further amendments in the I.A.S. (Fixation of Cadre Strength) Regulations, 1955:

Amendments

In the Schedule to the said Regulations, for the entries relating to 'RAJASTHAN' the following shall be substituted, namely:—

"1. Senior posts under State Government	63
Chief Secretary to Government	1
Additional Chief Secretary to Government	1

Commissioner for Development & Local Government	1	
Chairman, Board of Revenue	1	
Members, Board of Revenue	4	
Secretaries to Government	9	
Special Secretary to Government	1	
Deputy Secretaries to Government	7	
Settlement Commissioner and ex-officio Director of Consolidation	1	
Joint Deputy Development Commissioner and ex-officio Deputy Secretary to Government	1	
Settlement Officers	2	
Registrar, Cooperative Societies	1	
Secretary to the Governor	1	
Secretary to the Chief Minister	1	
Collectors	26	
Director of Industries	1	
Commissioner for Departmental Enquiries	1	
Principal, Officers' Training School, Jodhpur	1	
Commissioner for Excise & Taxation	1	
Labour Commissioner	1	
	63	
2. Senior posts under Central Government		25
		88
3. Posts to be filled by promotion and selection in accordance with rule 8 of the Indian Admini- strative Service (Recruitment) Rules, 1954.	22	
4. Posts to be filled by direct recruitment		66
5. Deputation Reserve @ 15% of 4 above		10
6. Leave Reserve @ 11% of 4 above		7
7. Junior Posts @ 20-60% of 4 above		14
8. Training Reserve @ 10-50% of 4 above		7
Direct Recruitment Posts		104
Promotion Posts		22
TOTAL AUTHORISED STRENGTH		126"

[No. 6/19/61-AIS(I).]

G.S.R. 1090.—In pursuance of sub-rule (1), and the first proviso to sub-rule (2) of rule 4, of the I.P.S. (Cadre) Rules, 1954, the Central Government, in consultation with the Government of Maharashtra hereby make the following further amendments in the I.P.S. (Fixation of Cadre Strength) Regulations, 1955.

Amendments

In the Schedule to the said Regulations, under Maharashtra, the following entries shall be substituted:—

"1. Senior posts under State Government	55
Inspector General of Police	1
Commissioner of Police, Bombay	1
Deputy Inspectors General of Police	7
Deputy Commissioners of Police	7
Assistant Inspectors General of Police	2
Superintendents of Police, C.I.D.	2

Superintendents of Police	25	
Superintendents of Police, Railways	2	
Additional Superintendents of Police	4	
Principal, Police Training School	1	
Commandants, State Reserve Constabulary	3	
	<hr/> 55	
2. Senior posts under Central Government		17
		<hr/> 72
3. Posts to be filled by promotion in accordance with rule 9 of the I.P.S. (Recruitment) Rules, 1954.	18	
4. Posts to be filled by direct recruitment		54
5. Deputation Reserve @ 15% of 4 above		8
6. Leave Reserve @ 11% of 4 above		6
7. Junior Posts @ 20.60% of 4 above		11
8. Training Reserve @ 10.59% of 4 above		6
		<hr/> 85
Direct Recruitment Posts		85
Promotion Posts		18
		<hr/> 103
TOTAL AUTHORISED STRENGTH		<hr/> 103

[No. 7/19/61-AIS(I).]

New Delhi, the 1st September 1961

G.S.R. 1091.—In pursuance of rule 11 of the Indian Police Service (Pay) Rules, 1954, the Central Government in consultation with the Government of Uttar Pradesh, hereby makes the following amendment in Schedule III appended to the said rules.

2. This amendment shall be deemed to have come into force with effect from 11th July, 1961.

Amendment

In the said Schedule III under the heading 'B—Posts in the senior time-scale of the Indian Police Service under the State Governments including posts carrying special pays in addition to pay in the time-scale' against 'Uttar Pradesh' the following entry shall be added, namely:—

'Administrative Commandant, P.R.D., U.P., Lucknow.'

[No. 1/79/61-AIS(II).]

G.S.R. 1092.—In pursuance of sub-rule (1) of rule 9 of the I.P.S. (Recruitment) Rules, 1954, the Central Government, in consultation with the Union Public Service Commission, hereby makes the following regulations further to amend the I.P.S. (Appointment by Promotion) Regulations, 1955 namely:—

1. (i) These regulations may be called the Indian Police Service (Appointment by Promotion) Amendment Regulations, 1961.

(ii) They shall be deemed to have come into force on the second day of May, 1961.

2. In the Indian Police Service (Appointment by Promotion) Regulations, 1955:—

1. in sub-regulation (1) of regulation 2—

(a) for clause (i), the following clause shall be substituted, namely:—

"(i) 'State' means a State specified in the First Schedule to the Constitution and includes a Union territory;"

(b) in clause (k),—

- (1) the word "and" at the end of the sub-clause (i) shall be omitted;
- (2) the word "and" shall be inserted at the end of sub-clause (ii);
- (3) after sub-clause (ii), the following sub-clause shall be added, namely:—

"(iii) in relation to a group of Union territories in respect of which a joint cadre of the Service is constituted; the Central Government."

II. in sub-regulation (1) of regulation 3, after the words "each of the States", the words "or for the group of Union territories" shall be inserted;

III. in the Schedule,—

(a) after Serial No. 3 and the entries relating thereto, the following shall be inserted, namely:—

"4. Delhi and Himachal Pradesh.....

- (1) Secretary or the Special Secretary Ministry of Home Affairs, or a nominee of the Ministry not below the rank of a Joint Secretary to the Government of India.
- (2) Administrator of the Union territory of Delhi or the Chief Secretary to the Administration.
- (3) Administrator of the Union territory of Himachal Pradesh or the Chief Secretary to the Administration.
- (4) Inspector General of Police, Delhi.
- (5) Inspector General or Deputy Inspector General of Police, Himachal Pradesh.

(b) the existing Serial Nos. 4 to 14 shall be renumbered as 5 to 15."

[No. 10/5/61-AIS(I).]

B. N. TANDON, Dy. Secy.

New Delhi, the 30th August, 1961

G.S.R. 1093.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Manipur the Madhya Pradesh Land Improvement Schemes Act, 1957 (Madhya Pradesh Act No. 10 of 1958), as at present in force in the State of Madhya Pradesh, subject to the following modifications, namely:—

MODIFICATIONS

A—General

Whenever an expression mentioned in column 1 of the Table below occurs in the Act, then, unless that expression is by this Notification directed to be otherwise modified, or to stand un-modified, or to be omitted, there shall be substituted therefor the expression set opposite to it in column 2 of the said Table, and there shall also be made in any sentence in which that expression occurs such consequential amendments as the rules of grammar may require.

TABLE

1	2
State Government	Chief Commissioner
Madhya Pradesh (except where it occurs in the short title, the long title and the preamble).	Manipur
Commissioner.	Chief Commissioner.
District Committee(s)	Committee(s)
Collector.	Sub-Divisional Officer.

B—Special

1. In section 1, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) It extends to the whole of the Union territory of Manipur.”

2. In section 2,

(i) for clauses (2) and (3), the following clauses shall be substituted, namely:—

“(2) ‘Chief Commissioner’ means the Chief Commissioner of Manipur;

(3) ‘Committee’ means the Sub-Division Land Improvement Committee constituted under section 11;”

(ii) for clause (6), the following clause shall be substituted:—

“(6) ‘Gazette’ means the Manipur Gazette;”

(iii) in clause (8), for the words “State Government”, the word “Government” shall be substituted;

(iv) after clause (11), the following clause shall be inserted, namely:—

(11A) “Sub-Divisional Officer” means the Sub-Divisional Officer of the sub-division and includes any officer appointed by the Chief Commissioner to perform all or any of the functions of a sub-divisional officer under this Act;”

3. In section 8,

(i) in sub-section (1), for the words “for the State”, the words “for the Union territory of Manipur” shall be substituted; and

(ii) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Board shall consist of—

(a) the Deputy Commissioner who shall be the Chairman *ex-officio*;

(b) all members of Parliament from the Union Territory of Manipur;

(c) the Chairman, Manipur Territorial Council;

(d) the Finance Secretary, Manipur Administration;

(e) the Principal Engineering Officer for Irrigation of the Public Works Department, Manipur;

(f) the Head of the Forest Department, Manipur;

(g) the Head of the Agriculture Department, Manipur; and

(h) Not less than 3 and not more than 6 persons to be nominated by the Chief Commissioner.”

(iii) in sub-section (4), for the words “The Secretary to Government in the Agriculture Department”, the words “The Secretary to the Manipur Administration in the Agriculture Department” shall be substituted;

(iv) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) A member referred to in clause (b) or clause (c) of sub-section (3) shall continue in office so long as he continues to be a member of Parliament or as the case may be, the Chairman of the Territorial Council; and the term of office of the members referred to in clause (h) of that sub-section shall be five years.”

4. In section 11(1),—

(i) for the words “the Board shall constitute a Committee”, the words “the Deputy Commissioner shall constitute a Committee” shall be substituted and for the word “District” the word “Sub-Division” shall be substituted;

(ii) in clause (ii), for the words “State Government”, the word “Government”, shall be substituted.

5. In section 12, for the word “district” wherever it occurs, the words “sub-division” shall be substituted.

6. In section 15,

(i) in sub-section (2) for the word “district”, the words “sub-division” shall be substituted.

(11) in sub-section (3), clause (c), for the words "State Government", the word "Government" shall be substituted.

7. In clause (a) of sub-section (2) of section 16, the words "the Collector or" shall be omitted and for the word "Tahsildar", the words "Sub-Deputy Collector" shall be substituted.

8. In section 18(2), in clause (a) of the proviso, for the words "State Government", the word "Government" shall be substituted.

9. In sub-section (5) of section 20 for the words "Department of the Government" the words "Department of the Manipur Administration" shall be substituted.

10. In section 30, for the words "eight annas", the words "fifty naye paise" shall be substituted.

11. In section 35,—

(1) in sub-section (1), for the expression beginning with "In the manner provided" and ending with "under this Act", the following shall be substituted, namely:—

'In the manner provided—

(a) in the Assam Land and Revenue Regulation, 1886 as extended to the Union territory of Manipur, if the inquiry is in relation to land situated in the hill areas of that territory;

(b) in the Manipur Land Revenue and Land Reforms Act, 1960 and the rules made thereunder, in other cases.

Explanation.—In this section, "Hill areas" has the meaning assigned to it in clause (j) of section 2 of the Manipur Land Revenue and Land Reforms Act, 1960.

(ii) in sub-section (2), for the words "said Code", the words "said Regulation or, as the case may be, the said Act" shall be substituted.

12. In section 40, sub-section (4) shall be omitted.

13. Section 44 shall be omitted.

ANNEXURE.

THE MADHYA PRADESH LAND IMPROVEMENT SCHEMES ACT, 1957 AS EXTENDED TO THE UNION TERRITORY OF MANIPUR

MADHYA PRADESH ACT No. 10 OF 1958

An Act to provide for the preparation and execution of land improvement schemes including schemes for the conservation and improvement of soil resources, the prevention or mitigation of soil erosion the protection of land against damage by floods or drought, and the reclamation of waste land in Madhya Pradesh.

Be it enacted by the Madhya Pradesh Legislature in the Eighth Year of the Republic of India as follows:—

CHAPTER I—PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be cited as the Madhya Pradesh Land Improvement Schemes Act, 1957.

(2) It extends to the whole of the Union territory of Manipur.

(3) It shall come into force on such date as the Chief Commissioner may, by notification, appoint.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(1) "Board" means the Manipur Land Improvement Board constituted under section 8;

(2) "Chief Commissioner" means the Chief Commissioner of Manipur;

(3) "Committee" means the Sub-Division Land Improvement Committee constituted under section 11;

(4) "erosion" means the removal or displacement of earth, stones or other materials by the action of wind or water;

(5) "Executive Officer" means an officer appointed under section 19 to execute a scheme;

(6) "Gazette" means the Manipur Gazette;

- (7) "Inquiry Officer" means an officer appointed by the Board under section 15;
- (8) "owner", in relation to any land, means the person who is, or who would, but for a grant, be liable, to pay land revenue or rent in respect of such land to the Government and includes a mortgagee with possession;
- (9) "prescribed" means prescribed by rules made under this Act;
- (10) "reclamation" includes cultivation, afforestation or any other improvement of land;
- (11) "scheme" means a land improvement scheme prepared under this Act;
- (11A) "Sub-Divisional Officer" means the Sub-Divisional Officer of the sub-division and includes any officer appointed by the Chief Commissioner to perform all or any of the functions of a sub-divisional officer under this Act;
- (12) "waste-land" means any land lying waste on account, of water logging, salinity, accumulation of sand, growth of woods, soil erosion or any other cause or lying uncultivated for not less than three consecutive years;
- (13) "work" means any work of public utility constructed, erected or carried out under a scheme and includes a pasture or forest provided or raised under a scheme; and
- (14) the expressions "cattle", "forest produce", "timber" and "tree" have the meanings respectively assigned to them in the Indian Forest Act, 1927 (XVI of 1927).

CHAPTER II.—NOTIFICATION OF AREAS AND CONTROL OVER THEM.

3. Notification of areas.—Wherever it appears to the Chief Commissioner that it is desirable to provide a land improvement scheme for any area, the Chief Commissioner may, by notification in the Gazette, declare the area to be a notified area for the purposes of this Act.

4. Power to regulate, restrict or prohibit certain matter within notified areas.—In respect of any notified area or part thereof, the Chief Commissioner may, by order publish in the Gazette, regulate, restrict or prohibit—

- (a) the clearing or breaking up of land for cultivation or the cultivation of land;
- (b) the quarrying of stone or the burning of lime;
- (c) the cutting of trees and timber or the collection or removal or subjection to any manufacturing process, otherwise than as described in clause (b), of any forest produce for any purpose;
- (d) the setting on fire of trees, timber or forest-produce;
- (e) the admission, herding, pasturing, or retention of cattle or class or description of cattle; and
- (f) the grant of permits to the inhabitants of towns and villages situated within the limits or in the vicinity of the area specified in the order—
 - (i) to take any tree, timber, or forest-produce for their own use, or
 - (ii) to pasture cattle, or
 - (iii) to erect buildings in such areas, and the production and return of such permits by such persons.

5. Proclamation of order under section 4 of admission of claims for compensation.—(1) Upon the publication of an order under section 4, the Sub-Divisional Officer shall cause to be published by beat of drum and in such other manner, as may be prescribed, in every village or town in which any part of the area specified in such order is situated, a proclamation in the language of the locality as provided in sub-section (2).

(2) The proclamation referred to in sub-section (1) shall contain the terms of the order and shall also require every person claiming any compensation in respect of any right, the exercise of which is restricted or prohibited by the order, to prefer his claim to the Sub-Divisional Officer with such particulars and within such period, not less than fifteen days, as may be prescribed.

(3) Any claim not preferred within the prescribed period shall be rejected:

Provided that the Sub-Divisional Officer may admit a claim after such period if he is satisfied that the claimant had sufficient cause for not preferring the claim within such period.

6. Inquiries into claims and determination of compensation.—(1) The Sub-Divisional Officer shall proceed to inquire in the prescribed manner into every claim admitted under section 5 (V of 1908).

(2) For the purposes of such inquiry, the Sub-Divisional Officer may exercise all or any of the powers of civil court for the trial of suits under the Code of Civil Procedure, 1908.

(3) The Sub-Divisional Officer shall after such inquiry pass an order in writing with respect to each such claim setting out therein the following particulars, namely:—

- (i) the person making the claim,
- (ii) the nature and extent of the right claimed,
- (iii) the extent to which the claim is upheld,
- (iv) the amount of compensation determined and the persons to whom it is payable.

(4) The Sub-Divisional Officer shall give notice in the prescribed manner of his order to claimants or their representatives and to persons to whom compensation is payable.

7. Method of awarding compensation.—(1) In determining the amount of compensation, the Sub-Divisional Officer shall be guided, so far as may be, by the provisions of sections 23 and 24 of the Land Acquisition Act, 1894 (I of 1894), and as regards matters which cannot be dealt with under these provisions, by what is just and reasonable in the circumstances of each case.

(2) The Sub-Divisional Officer may, with the sanction of the Chief Commissioner and the consent of the person entitled, instead of money, order payment of compensation in the shape of land or by reduction of revenue or in any other form.

(3) If in any case the exercise of any right is prohibited or restricted for a time only, compensation shall be determined only in respect of the period during which the exercise of such right is so prohibited or restricted.

CHAPTER III.—CONSTITUTION OF THE BOARD AND COMMITTEES.

3. Incorporation and constitution of Board.—(1) The Chief Commissioner may, for the purpose of carrying out the provisions of this Act, constitute for the union territory of Manipur, a Board called the Manipur Land Improvement Board.

(2) The Board shall be a body corporate having perpetual succession and common seal with power to acquire property both movable and immovable and shall by the said name sue and be sued.

(3) The Board shall consist of—

- (a) the Deputy Commissioner who shall be the Chairman *ex-officio*;
- (b) all members of Parliament from the Union Territory of Manipur;
- (c) the Chairman, Manipur Territorial Council;
- (d) the Finance Secretary, Manipur Administration;
- (e) the Principal Engineering Officer for Irrigation of the Public Works Department, Manipur;
- (f) the Head of the Forest Department, Manipur;
- (g) the Head of the Agricultural Department, Manipur; and
- (h) not less than 3 and not more than 6 persons to be nominated by the Chief Commissioner.

(4) The Secretary to the Manipur Administration in the Agriculture Department or such other officer, as may be nominated by the Chief Commissioner in this behalf, shall be the Secretary to the Board.

(5) The Chief Commissioner may, from time to time, on the advice of the Board appoint any other person to be a member of the Board for such period as the Chief Commissioner thinks fit.

(6) A member referred to in clause (b) or clause (c) of sub-section (3) shall continue in office so long as he continues to be a member of Parliament or as the case may be, the Chairman of the Territorial Council; and the term of office of the members referred to in clause (h) of that sub-section shall be five years.

(7) If there is a difference of opinion amongst the members of the Board regarding any question under this Act, decision of the majority of the members present shall prevail:

Provided that when their opinion is equally divided, the Chairman shall have a casting vote.

(8) A non-official member may, at any time by notice in writing to the Chairman, resign his office.

(9) All communications and orders of the Board shall be issued by the Secretary or by such officer subordinate to him as may be authorised by the Board in this behalf.

9. Power of the Chief Commissioner to require the Board to prepare a scheme.—(1) The Chief Commissioner may, by order, direct the Board to prepare a scheme, together with plans and estimates therefor, in respect of any notified area or part thereof.

(2) If the owners of not less than seventy-five per cent of land in any area apply to the Chief Commissioner for providing a scheme for such area, and give an undertaking in writing for depositing the estimated cost thereof in advance, the Chief Commissioner shall, by order, direct the Board to prepare a scheme accordingly together with plans and estimates therefor.

10. Functions of Board.—The functions of the Board shall be—

- (a) to direct either at its own instance or on the order of the Chief Commissioner under section 9, the preparation by the Committees of schemes within their respective jurisdiction;
- (b) to consider and approve the scheme prepared by Committees;
- (c) to devise ways and means for the execution of the schemes approved by it; and
- (d) to perform such other functions as may be specified in this Act or in the rules made thereunder.

11. Constitution of Sub-Division Committees.—(1) As soon as may be, after the issue of a direction under section 9, the Deputy Commissioner shall constitute a Committee called the Sub-Division Land Improvement Committee consisting of—

- (i) the Sub-Divisional Officer;
- (ii) an officer of the Government, other than the Sub-Divisional Officer, to be called the Land Improvement Officer;
- (iii) a person nominated by the Board from amongst persons whose interests in the opinion of the Board may be affected by the proposed scheme; and
- (iv) a person having special knowledge of the subject matter of the scheme.

(2) The Sub-Divisional Officer shall preside over the meetings of the Committee.

(3) The Land Improvement Officer shall be ex-officio Secretary to the Committee.

12. Functions of Committee.—The functions of the Committee shall be—

- (a) to make recommendations to the Board as to the area in the Sub-division for which schemes may be prepared;
- (b) to prepare schemes for areas in the sub-division;
- (c) to perform such other functions pertaining to land improvement as may be specified in this Act or in the rules made thereunder; and
- (d) to carry out the instructions issued by the Board from time to time under the provisions of this Act.

13. Regulations.—The Board may, from time to time, with the previous sanction of the Chief Commissioner, make regulations consistent with this Act and any rules made thereunder—

- (a) for regulating its procedure and the disposal of its business;
- (b) for the remuneration and conditions of service of its employees;

- (c) for regulating the procedure, disposal of business, the term of office and the filling of casual vacancies in the office of members of Committees;
- (d) for regulating the procedure for obtaining subsidies, loans or advances from the Board;
- (e) for any other matter arising out of Board's function under this Act for which it is necessary or expedient to make regulations.

CHAPTER IV.—PREPARATION OF LAND IMPROVEMENT SCHEMES

14. Matters which scheme may provide.—A scheme made under this Act may provide for all or any of the following matters, namely:—

- (i) prevention of erosion of soil;
- (ii) preservation and improvement of soil;
- (iii) reclamation of waste, saline or water-logged land;
- (iv) improvement in the methods of cultivation and extension of cultivation;
- (v) construction of earth and masonry works in fields, gullies and ravines;
- (vi) training of streams;
- (vii) prohibition or control of grazing or reservation of land for pasture;
- (viii) planting and preservation of trees, shrubs and grasses for afforesting uncultivable land or providing shelter-belts against wind or sand or for any other purpose;
- (ix) regulation or prohibition of firing of vegetation;
- (x) improvement of water-supply;
- (xi) consolidation of the holdings of cultivators of an area for the better use of land;
- (xii) any other matter which may be prescribed.

15. Power to direct preparation of soil conservation scheme.—(1) On receipt of an order of the Chief Commissioner under section 9, the Board shall direct the Committee to prepare a scheme for the area specified in the order.

(2) In respect of any area in a Sub-division other than an area to which sub-section (1) applies, the Board may, if satisfied, whether on the recommendation of the Committee or otherwise, that it is necessary to do so, direct the preparation of a scheme.

(3) On the issue of any direction under sub-sections (1) and (2), the Board shall appoint an officer to prepare, in accordance with such instructions as it may issue a draft scheme setting out—

- (a) the objects of the scheme;
- (b) the boundaries and approximate area of the lands to be included in the scheme;
- (c) the persons, including the Government, who will be affected by the scheme;
- (d) the works, if any, to be carried out under the scheme;
- (e) the agency or agencies through which the work shall be carried out; and
- (f) such other particulars as may be prescribed.

(4) The draft scheme so prepared shall be submitted by the said officer to the Committee which shall forward it with its comments to the Board; the Board may approve the draft scheme with or without modifications or may reject it and prepare or cause to be prepared another draft scheme.

(5) Whenever the Board approves any draft scheme, it shall appoint an officer called the Inquiry Officer for the purposes hereinafter specified.

16. Publication of draft scheme.—(1) Copies of every draft scheme approved by the Board together with the connected maps and plans, if any, shall be forwarded to the Sub-Divisional Officer and shall be made available by him for inspection by the public free of charge in every village, and at the headquarters of the sub-division in which the lands proposed to be included in the draft scheme are situated, at such places as the Sub-Divisional Officer may direct.

(2) A general notice shall be published in the Gazette and also in such newspapers, if any, circulating in the locality as the Sub-Divisional Officer may direct—

- (a) intimating that the draft scheme has been prepared, that copies thereof have been kept and may be inspected by the public, free of charge at the places aforesaid and that copies of the draft scheme, may be obtained on payment of the cost thereof, which shall be specified in the notice, from the Sub-Divisional Officer or Sub-Deputy Collector and also from any other officer specified in the notice;
- (b) requiring all persons affected by the draft scheme who wish to object to it or to any part thereof, to submit their objections in writing to the Inquiry Officer appointed by the Board in that behalf or to appear before him and state their objections, within thirty days of the publication of the notice.

(3) Separate notices to the same effect shall also be served in the prescribed manner on all owners of the lands affected by the draft scheme and on all persons shown in the village records as interested in such lands, so far as such service may be practicable.

17. Inquiry Officer to consider objections and submit report to Committee.—

The Inquiry Officer shall inquire into the objections received or recorded by him and submit them to the Committee together with his report thereon and his recommendations, if any, for the modification of the draft scheme.

18. Power of Board to sanction or reject draft Scheme.—(1) After considering the objections and the report and recommendations of the Inquiry Officer and any further report which the Committee may require from him, the Committee shall forward the draft scheme to the Board with its comments.

(2) The Board may sanction the draft scheme with or without modifications or may reject it and direct that in lieu thereof a fresh draft scheme be prepared and submitted for its sanction:

Provided that it shall submit the draft scheme to the Chief Commissioner for his orders—

- (a) where the owners of more than fifty per cent of the area of the land included in the draft scheme other than Government lands have made objections to the draft scheme or part thereof; or
- (b) where the draft scheme has been prepared in pursuance of an order of the Chief Commissioner under section 9.

(3) Where a draft scheme is submitted to the Chief Commissioner under sub-section (2), he may sanction the draft scheme with or without modifications or may reject it and direct that a fresh scheme be prepared and submitted for his sanction.

(4) The scheme as sanctioned by the Board or the Chief Commissioner, as the case may be, shall be published in the Gazette and copies thereof shall be made available in every village and at the headquarters of the sub-division in which the lands included in the scheme are situated, at such places and in such manner as the Sub-Divisional Officer may direct.

(5) The scheme shall come into force and shall have effect as if it was enacted in this Act on and from the date of its publication in the Gazette.

(6) The Board may, for the purpose of carrying out the objects of the scheme which has come into force under sub-section (5), make regulations requiring any person or persons or the public generally to take certain action or to refrain from doing, certain acts in respect of any matters supplementary and incidental to the scheme.

CHAPTER V.—EXECUTION OF THE SCHEME

19. Appointment of Executive Officer.—When a scheme comes into force, the Board shall appoint an officer called the Executive Officer, to execute it.

20. Power to enforce scheme.—(1) Every owner of land included in the scheme shall pay the cost or part of the cost, as the case may be, of the works which under the scheme are carried out by the Board in his land at the cost or part of the cost of the owner.

(2) If the owner of the land included in the scheme desires to carry out himself under technical guidance provided free by the Board any works which under the scheme are to be carried out in his land by the Board at the cost or

part of the cost of the owner, he shall give notice in writing to that effect to the Committee within thirty days of the publication of the scheme in the Gazette under sub-section (5) of section 18, or in the village concerned whichever is later.

(3) On receipt of such notice, the Committee shall inform the owner of the works which are to be carried out in his land and fix a date before which the owner shall carry out the works.

(4) If such owner fails to carry out any such work to the satisfaction of the Committee before the date fixed or within such further time as may be allowed by that Committee or at any time intimates to the Committee in writing his inability to do so, the Committee may require the Executive Officer to carry out the work and recover the expenses incurred for the purpose from the owner, in such manner, as may be prescribed.

(5) Where the owner of the land included in a scheme is the Government, the Department of the Manipur Administration which has the control or management of such land or the Executive Officer, if so directed in this behalf by the Committee, the Board or the Chief Commissioner, shall carry out the works which the Government as the owner of the land is liable to carry out under the scheme.

21. Liability of persons other than the owner benefited by the scheme.—(1) If in consequence of any work carried out under the scheme in any land,—

(i) any person holding the subsidiary interest in such land under the owner thereof; or

(ii) any person holding interest in any other land;

is or is likely to be benefited by that work, such person shall pay such amount and within such time as the Board may determine to the owner of the land if the work is carried out by him or to the Board if the work is carried out by the Executive Officer:

Provided that before any person is required to pay any such contribution, he shall be given a reasonable opportunity of making his representations, if any, in regard to the matter:

Provided further that any such contribution may be waived by the Board in whole or in part in respect of any work carried out in land owned by it.

(2) If default is made in the payment of such contribution within the time determined in that behalf in pursuance of sub-section (1), the Sub-Divisional Officer or any Officer authorised by him in this behalf shall recover it from the defaulter and pay the same to the owner of the land in such manner, as may be prescribed.

22. Power of Board to carry out works in scheme.—(1) Where by the reason of the nature or magnitude of any work to be carried out under the scheme which has come into force under sub-section (5) of section 18; the Board is satisfied that such work is not likely to be carried out satisfactorily by the owners of land included in the scheme, then, notwithstanding anything contained in this Act, the Board may direct by notification in the Gazette that such work shall be carried out by the Board and that the cost of such work shall be recovered in whole or in part from the owners of the lands included in the scheme in such proportion as the Board may fix, having regard to the area or assessment or both, of the lands included in the scheme.

(2) The cost directed to be recovered under sub-section (1) together with interest at such rate as the Board may determine shall be recoverable from the owners concerned in such number of equated annual instalments payable on the date appointed for the payment of the first instalment of the land revenue, as may be prescribed.

(3) The provisions of section 21 shall, so far as may be, apply to the recovery of cost directed to be recovered under sub-section (1).

CHAPTER VI.—MAINTENANCE, REPAIR AND USE OF WORKS CARRIED OUT UNDER THE SCHEME.

23. Preparation of statement.—(1) The Executive Officer shall on completion of the work prepare a statement giving for any specified area the following particulars:—

(a) the work done;

(ii) the cost thereof;

- (iii) the total amount to be recovered from the owners;
- (iv) the general rate per acre or per rupee of assessment per annum at which such amount is to be recovered from the owners;
- (v) the period within which such amount is to be recovered;
- (vi) the work which in his opinion shall be maintained and repaired individually or jointly and the name of every such person;
- (b) if in the case of any survey number or sub-division of survey number the owner is not liable to repair or maintain works therein, or if the cost is to be recovered from an owner at a rate other than the general rate, a list of such survey numbers or sub-divisions and the rate at which the cost is to be recovered from the owner or owners of such survey numbers or sub-divisions;
- (c) a map showing the work carried out in the village;
- (d) such other matters as may be prescribed.

(2) When a statement is prepared under this section the Executive Officer shall send a duly authenticated copy thereof to the Sub-Divisional Officer who shall cause any rights and liabilities shown therein to be entered in the record-of-rights or where there is no record-of-rights, in such village record and in such manner as may be prescribed and it shall thereupon form part of such record-of-rights or such village record.

24. Obligations of persons to maintain and repair works.—(1) Every person shown in the statement prepared under section 23 as liable to maintain and repair any work shall to the satisfaction of the Sub-Divisional Officer and within such time as that officer may fix, maintain and repair the work in his own land and in any other land in respect of which he is shown as liable in the said statement.

(2) If any person fails to maintain or repair the work within the time fixed by the Sub-Divisional Officer under sub-section (1), the said officer shall himself get the work executed or repaired and recover the cost thereof from such person.

(3) Any dispute as to the amount of the expenses shall be decided by the Sub-Divisional Officer and his decision shall be final.

CHAPTER VII.—RECLAMATION OF WASTE LAND

25. Order for taking possession of waste land.—(1) If the Board is satisfied that for the purpose of executing any scheme of reclamation of waste land sanctioned under this Act it is necessary that temporary possession of any waste land should be taken, it may by order in writing direct the Sub-Divisional Officer to take temporary possession of such land on behalf of the Board on such date as may be specified in that order.

(2) The order shall be made in such form, and brought to the notice of the owner or owners of the land, in such manner, as may be prescribed.

(3) On the date specified in the order, the Sub-Divisional Officer or any other officer authorised by him shall enter upon and take possession of the land on behalf of the Board.

26. Arrangement for reclamation.—When the land has been taken possession of, the officer appointed by the Board for the purpose may arrange for its reclamation—

- (a) by retaining it under his management for such period as he thinks fit; or
- (b) by settling it for such period and on such terms as may be fixed by the Board with the person or persons who on the date of taking possession under section 25 were in lawful possession of the land or were entitled to such possession or, if any such person is dead, with his successor in interest; or
- (c) by combination of the methods aforesaid:

Provided that the total period for which the land is retained or settled under this section shall not exceed ten years.

27. Claim for arrears of rent not to be enforced against Board, etc.—No claim of the owner to any arrear of rent accrued or due in respect of the land for the period prior to the date of taking possession shall thereafter be enforced by any Court, whether in execution of a decree or otherwise, against the Board or against any person holding the land under the Board or against the land.

28. Termination of possession on completion of reclamation.—(1) When the reclamation of the land is, in the opinion of the Sub-Divisional Officer, complete and in any case before the expiry of the period of ten years from the date of taking possession, the Sub-Divisional Officer shall, after making an inquiry in the prescribed manner, by order in writing,—

- (a) declare that possession of the land shall be restored on such date as may be specified in the order, to the owner who on the date of taking possession was in lawful possession of the land or was entitled to such possession or, if he is dead, to his successor in interest;
- (b) determine the person to whom possession is to be so restored;
- (c) where such person is a tenant, determine the rent payable on account of the use or occupation of the land; and
- (d) where the land or any part thereof has been afforested, regulate the cutting of trees in such land according to a working plan.

(2) On the date specified in the said order, possession of the land shall be deemed to have been delivered by the Board to the person determined under clause (b) of sub-section (1).

(3) The delivery of possession of the land to the person determined under clause (b) of sub-section (1) shall be a final and full discharge of the Board from all liability in respect of such delivery, but shall not prejudice any right in respect of the land to which any other person may be entitled, by due process of law, to enforce against the person to whom possession of the land has been so delivered.

29. Compensation for period of possession.—(1) As soon as may be, after the date of taking possession of the land, the Sub-Divisional Officer shall make an inquiry in the prescribed manner and determine—

- (a) in respect of any land which on the said date was in the occupation of a tenant—
 - (i) the annual rent payable by him, and
 - (ii) the average net annual income, if any, after deducting the rent, derived by him during the three years immediately preceding the said date.
- (b) in respect of any other land, the average net annual income, if any, after deducting land revenue cesses and rates, if any, payable, derived by the owner during the three years immediately preceding the said date.

(2) There shall be payable by the Board as compensation on each anniversary of the date of taking possession until the date referred to in sub-section (2) of section 28—

- (a) in respect of such land as is referred to in clause (a) or sub-section (1), the amount determined under sub-clause (i) thereof to the landlord and the amount determined under sub-clause (ii) to the tenant; and
- (b) in respect of any other land, the amount determined under clause (b) of sub-section (1) to the owner.

(3) For the purposes of this section "landlord" means the person under whom the tenant holds land and to whom the tenant is, or but for special contract would be liable to pay rent for that land, and any reference to an owner, landlord or tenant shall be deemed to include a reference to the predecessors and successors in interest of the owner, landlord or tenant.

30. Accounts.—The Board shall maintain in such form and in accordance with such rules, as may be prescribed, an account of all receipts and payments, by the Board in respect of the land, and the owner of the land or any other person having an interest therein, may, on payment of a fee of fifty naye paise, inspect the account.

31. Recovery of net expenditure incurred by Board.—(1) The net expenditure incurred by the Board on the reclamation of the land under the provisions of this Chapter or such part of that expenditure as the Board may, by general or special order, direct together with interest calculated at the prescribed rate and in the prescribed manner, shall be recovered as arrears of land revenue from the person to whom possession of the land is delivered by the Board under sub-section (2) of section 28.

(2) The amount to be recovered under sub-section (1) from any person shall be decided by the Board.

CHAPTER VIII.—MISCELLANEOUS.

32. Appeals.—(1) Any person aggrieved by an order under sections 6, 25, 28, 29 or sub-section (2) of section 31 may, before the expiry of sixty days from the date of the order, appeal to the Chief Commissioner, in such manner, as may be prescribed:

Provided that the Chief Commissioner may entertain an appeal after the expiry of such period if he is satisfied that the appellant was prevented by sufficient cause from filing it in time.

(2) The Chief Commissioner may, after hearing the appeal, confirm, vary or reverse the order and pass such order in relation thereto, as he deems fit.

(3) The order of the Chief Commissioner on such appeal, and where no appeal is preferred, the order which has not been appealed against, shall be final and shall not be called in question in any court.

33. Penalties.—(1) If any person contravenes any of the provisions of a scheme which has come into force under sub-section (3) of section 18 or does any act which causes damage to any of the works carried out under the scheme or fails to fulfil any liability imposed upon him under section 20, he shall be punishable with imprisonment which may extend to one month or with fine which may extend to five hundred rupees or with both.

(2) If any person contravenes any regulation made under this Act or any order or direction made or given under such regulation or resists or obstructs any person in the exercise or performance of any power, function or duty conferred or imposed upon him by or under this Act, he shall be punishable with fine which may extend to five hundred rupees.

34. Amount to be recovered as arrears of land revenue.—All amounts due to the Board under this Act shall be recoverable in the same manner as arrears of land revenue.

35. Procedure and power at inquiries.—(1) Any officer or authority empowered to make an inquiry under this Act shall, where no specific provision has been made therefor, make the inquiry in the manner provided—

- (a) in the Assam Land Revenue Regulation, 1886, as extended to the Union territory of Manipur, if the inquiry is in relation to land situated in the hill areas of that territory;
- (b) in the Manipur Land Revenue and Land Reforms Act, 1960, and the rules made thereunder, in other cases.

Explanation.—In this section, "hill areas" has the meaning assigned to it in clause (j) of section 2 of the Manipur Land Revenue and Land Reforms Act, 1960.

(2) Any officer or authority referred to in sub-section (1) shall have the same powers of summoning and enforcing the attendance of any person and examining him on oath and compelling the production of documents as are vested in Revenue Officers by or under the said Regulation or, as the case may be, the said Act.

36. Power of entry, survey, etc.—(1) Any person authorised in writing in this behalf by the Board, the Committee or the Sub-Divisional Officer may, for the purpose of exercising any power or performing any function or duty conferred or imposed by or under this Act and after giving such notice, as may be prescribed to the owner, occupier or any person interested in any land, enter upon, survey and mark out such land and do all acts necessary for such purpose.

(2) In particular he may—

- (a) take levels;
- (b) dig or bore into the sub-soil;
- (c) place, erect or make on any land any peg or mark including trenches, or boundaries which he deems to be necessary;
- (d) do all other acts necessary to ascertain whether the land is adapted for such purpose; and
- (e) where otherwise the survey cannot be completed and the lands taken and peg mark or trenches put, cut down and clear away any part of the standing crop, fence or jungle but only to the extent necessary.

(3) Reasonable compensation in respect of any damage or injury caused to the property or rights of any person in carrying out any operations under the provisions of this section shall be paid to the person:-

- (a) where an agreement has been entered into with the person concerned, in accordance with that agreement; and
- (b) where no such agreement is possible, by the Sub-Divisional Officer in accordance with the provisions of the Land Acquisition Act, 1894 (1 of 1894).

(4) Every person who is appointed or authorised to exercise any power or perform any function or duty conferred or imposed by or under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (XIV of 1860), and every person who is required to submit any opinion or particular shall be deemed to be legally bound to do so within the meaning of the said Code.

37. Registration of documents or map in connection with scheme not required.—(1) Nothing in the Indian Registration Act, 1908 (XVI of 1908), shall be deemed to require the registration of any document or map prepared, made or sanctioned in pursuance of this Act in connection with any scheme which has come into force.

(2) All such documents and maps made for the purposes of sections 48 and 49 of the said Act shall be deemed to be registered in accordance with the provisions of that Act:

Provided that documents and maps relating to such scheme shall be accessible to the public in the manner prescribed.

38. Delegation of powers, etc.—The Chief Commissioner, and subject to the control of the Chief Commissioner, the Board or the Sub-Divisional Officer may delegate to any officer or authority subordinate to it or him any of the powers, functions and duties conferred and imposed on it or him by or under this Act.

39. Power to prepare scheme in famine and scarcity area.—(1) Notwithstanding anything contained in this Act, the Chief Commissioner may direct the preparation of a scheme providing for any of the matters specified in section 13 in any area in which the Chief Commissioner declares that a state of famine or scarcity prevails or in which, in the opinion of the Chief Commissioner, a state of famine or scarcity is likely to prevail.

(2) On such direction, the Board shall prepare in accordance with such instructions as the Chief Commissioner may issue, a draft scheme containing the particulars specified in sub-section (3) of section 15 and submit it to the Chief Commissioner for his approval.

(3) After the scheme is submitted to the Chief Commissioner for approval under sub-section (2), the provisions of this Act and the rules made thereunder shall, so far as may be, apply in respect of such scheme.

40. Power to make rules.—(1) The Chief Commissioner may, by notification in the Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the following matters, namely:—

- (a) all matters allowed or required by this Act to be prescribed;
- (b) the manner in which the rights or liabilities shown in the statements prepared under section 23 shall be entered in the record-of-rights or village record;
- (c) the number of annual instalments, equated or otherwise, payable under sub-section (2) of section 22;
- (d) the manner of giving notices under this Act.

(3) The power to make rules conferred by this section shall, except on the first occasion of the exercise thereof, be subject to the condition of previous publication.

(4) * * * * *

41. Fund of the Board.—The fund of the Board shall consist of such sums as the Chief Commissioner may, from time to time, grant to the Board to enable it to

perform its functions under this Act and of the sums that may be recovered by the Board under the provisions of this Act.

42. Power to make grant or advance loan.—The Board may make a grant or advance a loan to any person for carrying out any work under any scheme, on such terms and conditions, as may be prescribed.

43. Protection of action taken under this Act.—No suit, prosecution or other proceeding shall lie against any person for anything in good faith done in pursuance of this Act or any rule made thereunder.

44. Repeal and savings.—*

* * * *

[No. F. 5/6/59-Judl. II-UTL-38.]

K. R. PRABHU, Dy. Secy.

ORDER

New Delhi, the 28th August 1961

G.S.R. 1094.—In pursuance of clause (22) of article 366 of the Constitution of India, the President is hereby pleased to recognise His Highness Maharaja Madhav Rao Jiwaji Rao Scindia as the Ruler of Gwalior with effect from 17th July, 1961, in succession to His late Highness Maharaja Jiwajirao Madhav Rao Scindia.

[No. 5/31/61-Poll. III.]

V. VISWANATHAN, Special Secy.

SUPREME COURT OF INDIA

New Delhi, the 5th September 1961

G.S.R. 1095.—Under Rule 16 of Order IV Supreme Court Rules, 1950 (as amended upto 15th April, 1959) and Regulation (2) of the Regulations made thereunder governing the Examination for Advocates on Record it is notified that an Examination for Advocates on Record will be held in the Supreme Court Buildings, New Delhi on Saturday the 16th and Sunday the 17th December, 1961.

Advocates enrolled in the Supreme Court desiring to appear for the aforesaid Examination may obtain the prescribed form of application from the Registrar. The applications should reach the Registrar not later than 4 p.m. on Wednesday the 15th November, 1961.

[No. F. 10/A/61-SCMJ(1).]

By order of the Court

ARINDAM DUTT,
Registrar.

MINISTRY OF FINANCE (Department of Revenue)

CUSTOMS

New Delhi, the 9th September 1961

G.S.R. 1096.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts forming tools, such as moulds, dies and the like, falling under Item No. 71(a) of the First Schedule to the Indian Tariff Act, 1934 (32 of 1934), when imported into India or the State of Pondicherry, from so much of the customs duty leviable thereon under the second mentioned Act as is in excess of 15 per cent *ad valorem*.

2. This notification shall remain in force for a period of two years from the date of its publication in the Gazette of India.

[No. 96.]

G.S.R. 1097.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby rescinds the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 98-Customs, dated the 16th May, 1957.

[No. 100.]

G.S.R. 1098.—In exercise of the powers conferred by Section 19 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 8-Customs, dated the 30th January, 1960 namely:—

In the said notification the following proviso shall be added at the end, namely:—

“Provided that nothing herein contained shall apply to documents of purely technical or scientific nature intended for the Council of Scientific and Industrial Research or any other organisation specified in this behalf by the Central Government.”

[No. 101.]

S. VENKATESAN, Dy. Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 9th September 1961

G.S.R. 1099.—In exercise of the powers conferred by sub-section (1) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. G.S.R. 575 (55/F. No. 34/86/60-Cus. IV) dated the 28th May, 1960, namely:—

Amendment

In the Schedule to the said notification, after Serial Number 132 and entries relating thereto the following shall be inserted, namely:—

“133. Cameras.”

[No. 99/F. No. 34/252/61-Cus.IV.]

CUSTOMS AND CENTRAL EXCISE

New Delhi, the 9th September, 1961.

G.S.R. 1100.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43-B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Customs and Central Excise Duties Export Drawback (General) Rules, 1960;—

(i) in the First Schedule the entries at Serial No. 14 shall be deleted; and

(ii) in the Second Schedule, after existing item at Serial No. 91 and entries relating thereto, the following shall be added, namely:—

“92. Plywood, 3-ply, 4-ply, 5-ply, 6-ply, 7-ply, 9-ply and 11-ply.”

[No. 112/F. No. 34/76/61-Cus.IV.]

G.S.R. 1101.—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as

applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 10th October, 1961.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960 after Serial Number 93 and entries relating thereto, the following shall be added, namely:—

“94. Cameras.”

[No. 113/F. No. 34/252/61-Cus.IV.]

M. C. DAS, Dy. Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 9th September 1961

G.S.R. 1102.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944 as in force in India and as applied to the State of Pondicherry and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 151/61-Central Excises, dated the 1st July, 1961, the Central Government hereby exempts cotton yarn,

(i) other than multiple fold yarn whether bleached or not, and

(ii) multiple fold yarn, if unbleached,

the average count of which is less than forty-one falling under item No. 18A of the First Schedule to the Central Excises and Salt Act, 1944 (I of 1944), if issued out of the factory in hanks, from the whole of the excise duty leviable thereon.

Explanation.—For the purpose of this notification, the average count shall mean the average actual count.

[No. 163/61 F. No. 31/18/61-CXII.]

G.S.R. 1103.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, and in supersession of the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 17/55-Central Excises, dated the 18th April, 1955, the Central Government hereby exempts any coarse woollen blanket or coarse woollen rug, not exceeding rupees twelve in value, from the whole of the duty leviable thereon under the Central Excises and Salt Act, 1944 (I of 1944):

Provided that no such exemption shall be admissible to remnants of any coarse woollen blanket or coarse rug exceeding rupees twelve in value even if the value of remnants thereof does not exceed rupees twelve each.

[No. 164/61.]

L. M. KAUL, Dy. Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 1st September 1961

G.S.R. 1104.—In exercise of the powers conferred by section 27 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956) read with Regulation

3(10) (b) of the Khadi and Village Industries Commission Regulations, 1958, published with the notification of the Government of India in the Ministry of Commerce and Industry No. G.S.R. 801, dated the 9th September, 1958, the Commission hereby makes, with the previous sanction of the Central Government, the following Regulations, namely:—

**THE KHADI AND VILLAGE INDUSTRIES COMMISSION EMPLOYEES
(MEDICAL ATTENDANCE) REGULATIONS, 1961.**

1. Short title, commencement and application.—(1) These Regulations may be called the “Khadi and Village Industries Commission ‘Employees (Medical Attendance) Regulations, 1961”.

(2) These Regulations shall come into force at once.

(3) These Regulations shall apply to the employees of the Khadi and Village Industries Commission.

2. Definitions.—In these regulations, unless there is anything repugnant in the subject or context:—

(a) “Commission” means the Khadi and Village Industries Commission established under section 4 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956);

(b) “authorised medical attendant” means a medical officer appointed by the Commission to be an authorised medical attendant for the purposes of these regulations;

(c) “hospital” means a hospital or a dispensary maintained or approved by the Commission and includes the hospitals and dispensaries, if any, of the authorised medical attendants;

(d) “employee” means an employee of the Commission and includes employees in the different trading schemes of the Commission;

(e) “family” means the wife or husband as the case may be, of the employee and the children including lawfully adopted children and the step-children, wholly dependent upon the employee;

(f) “patient” means an employee or a member of his family who has fallen ill;

(g) “medical attendance” means attendance by the authorised medical attendant at his/her consulting room and in the case of illness which compels the patient to be confined to his residence, at the residence of the patient and includes:—

(i) such pathological, radiological or other methods of examination for the purposes of diagnosis as are available in the nearest hospital and are considered necessary by the authorised medical attendant, and

(ii) such consultation with a specialist or other Government Medical Officer as the authorised medical attendant certifies to be necessary to such extent and in such manner as the specialist or medical officer may, in consultation with the authorised medical attendant, determine;

(h) “medical treatment” means the use of all medical and surgical facilities available at the hospital in which the patient is treated or, in the case of treatment outside a hospital, as prescribed by the authorised medical attendant and includes:—

(i) the employment of such pathological, bacteriological, radiological or other methods as are considered necessary by the authorised medical attendant;

(ii) the supply of such medicines, vaccines, or other therapeutic substances as are ordinarily available in the hospital;

(iii) the supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily available as the authorised medical attendant may certify in writing to be essential for the recovery, or for prevention of serious deterioration in the condition of the patient;

(iv) such accommodation as is ordinarily provided in the hospital and is prescribed in the Schedule;

(v) such nursing as is ordinarily provided to patients by the hospital in the class of accommodation to which the patient is entitled under Schedule;

(vi) such consultation with a specialist as is specified in Clause (g).

3. Reimbursement of charges.—(1) An employee will be entitled to reimbursement by the Commission of 2/3rd cost on account of and in connection with medical attendance and treatment (excluding confinement and pre-natal and post-natal treatment), subject to the maximum of Rs. 75-00 per annum under all heads of reimbursable items.

(2) Two-thirds of the cost of facilities for nursing or for treatment in a nursing home will be reimbursed by the Commission within the limits prescribed in sub-regulation (1):

Provided that in the case of treatment by an authorised medical attendant at the residence of the employee, no charges for nursing will be reimbursed.

(3) On production of a certificate from the authorised medical attendant that it was necessary for the patient to travel by conveyance to and from the place of treatment or consultation, travelling allowance as for a journey on tour (without daily allowance) will be admissible if the distance travelled is more than 5 miles each way. This allowance is also admissible to an attendant if the authorised medical attendant certifies that it was absolutely necessary for an attendant to accompany the patient. If the patient travels by an ambulance belonging to a hospital or the Government or a local Fund or a social service organisation such as Red Cross Society, 2/3rd of the ambulance charges will be reimbursable. The Commission will also bear 2/3rd of the cost of conveyance for removal of patient to a hospital in special cases or in an emergency, limited to the cost not exceeding Rs. 5 at a time, which would have been incurred had the patient been removed in an ambulance as mentioned above. The payment of travelling allowance and reimbursement of conveyance charges under this clause shall be within the limit specified in sub-regulation (1).

(4) The Commission will bear the 2/3rd cost of all medicines and injections within the limits prescribed in sub-regulation (1).

(5) Reimbursement of 2/3rd of charges incurred on treatment for immunising and prophylactic purposes in a hospital in the cases of communicable diseases such as (1) Cholera, (2) Typhoid group of fever (TAB), (3) Plague, (4) Diphtheria, (5) Whooping Cough and (6) Tetanus, may be allowed to the employees within the limit prescribed in sub-regulation (1), provided that the local authorities such as Municipalities and Local Boards, have no arrangements for providing such treatment and a certificate to this effect is endorsed by the authorised medical attendant on the claim for reimbursement of such expenses.

(6) Commission will not bear any charges on account of testing eyesight of the employee or the members of his/her family.

(7) In the case of female employees of the Commission or female members of the families of the employees, the cost of confinement charges will not be borne by the Commission. However, if any illness develops or complications occur during confinement, the Commission will reimburse 2/3rd of charges for treatment of such illness within the limit prescribed in sub-regulation (1).

(8) If the authorised medical attendant is of the opinion and certifies that owing to the absence or remoteness of a hospital or the severity of the illness, an employee cannot be given treatment as provided in Regulation 2(h), the employee may receive treatment at his residence and shall be entitled to receive 2/3rd of the charges of such treatment incurred by him, within the limit specified in sub-regulation (1).

(9) The Commission shall not reimburse (even though prescribed by the Authorised Medical Attendant) the cost of medicines or medical preparations or items, which primarily come under the following categories:—

(i) Food, (ii) Food preparations, (iii) Tonics, (iv) Toilet preparations and disinfectants and (v) Appliances and Aids.

(10) The expenditure on account of consultation will be limited to Rs. 16 for the first consultation and to Rs. 10 for subsequent consultations in the same case, when calculating the reimburseable amount, under sub-regulation (1); and any additional expenditure on account of consultations will have to be borne by the employee himself. Each claim will have to be certified or countersigned by the Authorised Medical Attendant, and the reimbursement will be within the limit specified in sub-regulation (1).

4. Advances.—Advances to meet the expenditure on medical attendance and treatment will also be admissible as per Appendix.

5. Certificate for reimbursement of cost.—All claims for reimbursement of cost on account of medical attendance and treatment will be calculated subject to limits and conditions prescribed in Regulation 3(1). They will be entertained only when they are certified by the authorised medical attendant stating that the claim does not exceed the actual expenses incurred. In special cases, the Commission may agree to reimburse the expenses even when they could not be certified by an authorised medical attendant or at higher rates than those specified in Schedule by a special resolution.

6. Medical treatment by a Medical Officer other than authorised Medical Attendant.—If any employee, while on duty, falls sick at a place where medical facilities from an authorised medical attendant or in an authorised hospital are not available, medical treatment by a medical officer other than the authorised medical attendant will be allowed only in emergent cases and the reimbursement of cost of such treatment will be limited to the extent otherwise admissible under these regulations subject to the limit prescribed in regulation 3(1).

7. Appointing Medical Officer, Compounders and maintaining dispensaries by the Commission.—The Commission may appoint a full or part-time medical officer and full time or part-time compounder and also maintain small dispensaries for their employees in a centre or a city where the total number of the Commission's employees exceeds 200. In such cases, the cost of employing the medical officer and compounder should be borne by the Commission. The expenditure on account of some deficits in these arrangements and the expenditure on up-keep of the dispensary will also be borne by the Commission. In places where the number of employees exceeds 100 but is less than 200, the Commission may appoint a doctor on retainer basis, who would be available for consultation; arrangements for treatment and purchase of medicines prescribed by him will have to be made by the employees themselves.

V. SUBRAMANIAN,
Chief Executive Officer.

APPENDIX

Advance for Medical Treatment

Advances may be sanctioned to the employees of the Commission to enable them initially to meet expenditure on their medical attendance and treatment on the following terms and conditions:—

- (i) The advance would be admissible only in cases where an employee or a member of his family is being treated as an in-patient in a hospital under the provisions of the Khadi and Village Industries Commission Employees (Medical Attendance) Regulations, 1961.
- (ii) The application for an advance should be supported by a certificate from the Medical Officer in charge that the patient is being treated as an in-patient in the hospital. Such a certificate should also indicate the probable duration of stay of the patient in the hospital and the anticipated cost of treatment which would otherwise be reimbursable under the Regulations and be also countersigned by the authorised medical attendant.
- (iii) The advance should not, in any circumstances, be allowed in a case where treatment is being obtained at the residence of the employee or at the consulting room of the authorised medical attendant or as an out-patient at a hospital.
- (iv) The total amount of the advance admissible during any financial year must not exceed Rs. 50 in any case.
- (v) The amount of the advance should be adjusted against the subsequent claim for reimbursement of the expenditure as admissible under the Regulations and the balance if any, recovered from the pay of the employee concerned in two equal monthly instalment, after the discharge of the patient from the hospital. The Commission may extend this period if it deems fit to do so in special cases of hardship.
- (vi) An advance under these Regulations will be admissible only to those employees of the Commission whose basic pay does not exceed Rs. 500 p.m.

- (vii) In the case of temporary employees of the Commission, the grant of an advance under these Regulations would be made by securing the advances against the amount of Commission's Contribution to the Provident Fund Account of the employee concerned.

SCHEDULE TO "KHADI & VILLAGE INDUSTRIES COMMISSION EMPLOYEES (MEDICAL ATTENDANCE) REGULATIONS, 1961"

Scale of Accommodation.—The scale of accommodation to which an employee is entitled as an in-patient of an approved hospital will be the scale of accommodation which the patient elects and is able to secure. In no case, however, the net charge for accommodation will be admitted at more than Rs. 10 per diem for reimbursement which will be subject to the monetary ceiling prescribed under Regulation 3(1) of these Regulations. Where the rate of accommodation is inclusive of normal diet, a deduction of 20 per cent for diet charge will be made for arriving at the net charge of accommodation.

[No. F-5(59)/57-K.V.E.]

A. VISVANATH, Dy. Secy.

(Department of Company Law Administration)

New Delhi the 31st August 1961

THE COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES AND FORMS

G.S.R. 1105.—In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of section 642 of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes with effect from the 11th September, 1961, the following rules further to amend the Companies (Central Government's) General Rules and Forms, 1956, namely:—

1. These rules may be called the Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 1961.

2. After Rule 18 of the Companies (Central Government's) General Rules and Forms, 1956 (hereinafter referred to as the said rules), the following rule shall be inserted:—

"18A. *Section 594.*—The documents referred to in clause (a) of sub-section (1) and in sub-section (3) of section 594 shall be delivered to the Registrar within a period of nine months of the close of the financial year of the foreign company to which the documents relate:

Provided that the Registrar may, for any special reason, and on application made in writing by the foreign company concerned, extend the said period by a period not exceeding three months."

3. In Rule 20 of the said rules, for the word and figures "Rs. 10", the word and figures "Rs. 25" shall be substituted.

[No. 5/15/61-PR.]

F. N. SANYAL, Under Secy.

(Department of Company Law Administration)

New Delhi, the 4th September 1961

G.S.R. 1106.—In exercise of the powers conferred by the proviso to sub-section (1) of section 594 of the Companies Act, 1956 (Act 1 of 1956), (hereinafter referred to as the Act), and in partial modification of the Notification No. S.R.O. 3216 dated the 4th October, 1957 of the Government of India in the Ministry of Finance (Department of Company Law Administration), (hereinafter referred to as the notification), the Central Government hereby directs that, in the case of M/s. Hawker Siddeley Brush (India) Limited (hereinafter referred to as the Company), being a foreign company, the requirements of clause (a) of sub-section (1) of the said section as modified in their application to a foreign company by the notification, shall apply subject to the following further exceptions and modifications, namely:—

It shall be deemed to be sufficient compliance with the provisions of clause (a) of sub-section (1) of section 594 of the Act read with clause (i) of the notification in relation to the profit and loss account

of the Indian business of the company for the financial year ended the 31st December, 1960, if the company submits to the appropriate Registrar of Companies in India three copies of its authenticated profit and loss account for the said financial year ended the 31st December, 1960 in respect of its Indian business as prepared for its Head Office in London and audited by a person qualified for appointment as auditor in terms of section 226 of the Act.

[No. 14(18)-CL. VI/61.]

N. PARASURAMAN, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

Kandla, the 8th August 1961

G.S.R. 1107.—In exercise of the powers conferred by section 9 of the Bombay Landing and Wharfage Fees Act, 1882 (Bombay Act No. 7 of 1882), as applied to the Port of Kandla under the notification of the Ministry of Transport No. 14-P(89)/49-I, dated the 25th June, 1950, the Development Commissioner, Kandla Port and the Chief Customs Authority, with the previous sanction of the Central Government, makes the following amendment in the Kandla Port Bye Laws, 1955, published with his office notification No. S.R.O. 1125, dated the 14th May, 1955, namely:—

For the existing Byc Law No. 4, the following bye law shall be substituted, namely:—

"4. *Port's Working Hours for Cargo.*—The working hours for the purpose of landing and shipping cargo both by day and night (which must be observed on Sundays and holidays, if overtime work is permitted on those days) shall be as under:—

Day—7-45 a.m. to 12-00 noon and 12-30 p.m. to 4-15 p.m.

Night—4-30 p.m. to 8-30 p.m. and 9-00 p.m. to 1-00 a.m.

Work during nights and Sundays is subject to the permission of the Collector of Customs or his authorised representative. All work during night, Sundays, holidays and recess hours shall be permitted on application to the Traffic Manager and on payment of fees prescribed in the Scale of Rates.

Clearance of import cargo and admittance on export cargo shall ordinarily be permitted only between 7-45 a.m. and 4-15 p.m. However, in special cases, the Traffic Manager shall permit clearance and admittance of cargo during the outside working hours on payment of charges prescribed in the Scale of Rates."

[No. F. 61-GAR(36)/60.]

K. N. BHARGAVA,

Development Commissioner, Kandla Port.

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 29th August 1961

G.S.R. 1108.—The following draft of certain amendments to the Rules for the Port of Cochin published in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport—Transport Wing) No. G.S.R. 851, dated the 1st September, 1958, which the Central Government proposes to make, in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 30th September, 1961.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Amendment

1. These rules may be called the Port of Cochin (Hire and Demurrage Charges) Amendment Rules, 1961.

2. In section IV of the schedule to the said rules, in part I under the heading "A. Schedule of Demurrage on Imports" for item 1 and the entries relating thereto, the following shall be substituted, namely:—

<i>Item No.</i>	<i>Classification</i>	<i>How charged</i>	<i>Rate</i>
			Rs. nP
1.(a)	Goods left lying in the transit sheds or in the open transit space and on which landing fees and wharfage are fixed on weight.	per tonne per day	1st week 0.40 2nd week 0.80 Succeeding period 1.20
(b)	Goods left lying in the transit sheds or in the open transit space and on which landing fees and wharfage are fixed on measurement.	per cubic metre per day.	1st week 0.29 2nd week 0.57 Succeedin period 0.86
(c)	Liquids left lying in the transit sheds or in the open transit space and on which landing fees and wharfage are fixed on liquid measure.	per 1000 Litres per day.	1st week 0.41 2nd week 0.81 Succeeding period 1.22
(d)	Goods left lying in the transit sheds or in the open transit space on which the rate of landing fees and wharfage is fixed "per each" or by number	per each/package/ number per week or part of a week	1st week 25 per cent of the landing fees and wharfage. 2nd week 50 per cent of the landing fees and wharfage. Succeeding weeks 100 per cent of the landing fees and wharfage.

NOTE.—For determining the rates on fractions, the same method as for calculating landing and shipping fees and wharfage will be adopted.

3. In the same section, the paragraph starting with the sentence "After the expiry of the free storage period, import goods are liable to be moved at the discretion of the Traffic Manager" shall be numbered as Rule 4.

[No. 6-PG(24)/60.]

CORRIGENDA

New Delhi, the 29th August, 1961

G.S.R. 1109.—In the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) (Transport Wing) No. G.S.R. 231, dated the 15th February, 1961, published at pages 289-293 in the Gazette of India, Part II, Section 3(i), dated the 25th February, 1961, in the Table under "Scale I—Charges for Annealing and Degreasing chains" for the word 'tons' occurring in the 2nd column against item I. "Annealing chains up to 650 degree C." read the word "tonnes".

[No. 17-PG(31)/60.]

G.S.R. 1110.—In the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) (Transport Wing) No. G.S.R. 390, dated the 20th March, 1959, published at pages 475-476 in the

Gazette of India Part II, Section 3(d), dated the 4th April, 1959, for the figures '14' occurring at the head of last para "Hire charges for Muir Hill shunters" read the figures '15'.

[No. 17-PG(31)/60.]

M. V. NILAKANTA AYYAR, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 29th August 1961

G.S.R. 1111.—In exercise of the powers conferred by sub-section (1) of section 56 of the Delhi Development Act 1957 (61 of 1957), read with clauses (1) and (r) of sub-section (2) of that section, the Central Government hereby makes the following rules, namely,

1. **Short title.**—These rules may be called the Delhi Development (Betterment Charge Arbitration) Rules, 1961.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context:—

- (a) "Act" means the Delhi Development Act, 1957 (61 of 1957);
- (b) "arbitrators" means the arbitrators appointed by the Central Government under section 39 of the Act;
- (c) "Authority" means the Delhi Development Authority constituted under the Act;
- (d) "Objector" means a person on whom notice has been served in respect of land to be assessed under section 38 of the Act and who has dissented from, or has failed to give the Authority information of his acceptance of, the assessment made by the Authority, and "object" with its grammatical variations, shall mean accordingly, dissenting from or failing to accept the assessment made by the Authority.

3. **Reference to arbitrators.**—(1) As soon as may be, after the assessment made by the Authority of the amount of betterment charge payable by any person in respect of any property has been objected to, the Authority shall refer for the determination by the arbitrators, of the betterment charge, the persons by whom it is payable and the apportionment, if any, of the betterment charge among the persons liable.

(2) In making the reference, the Authority shall state for the information of the arbitrators, in writing:

- (a) the situation and extent of the land regarding which the betterment charge is to be determined;
- (b) the names of the persons by whom betterment charge is payable;
- (c) the amount of betterment charge payable by each person;
- (d) the objection, if any, filed by the objector;
- (e) a brief statement of the basis of the assessment of the amount of betterment charge.

4. **Service of notice.**—(1) The arbitrators shall thereupon cause a notice specifying the day on which and the place where the arbitrators will proceed to determine the betterment charge and the person or persons by whom it is payable and directing their appearance before the arbitrators to be served on the following, namely:—

- (a) the Authority;
- (b) all objectors.

(2) The arbitrators may, in addition, give a public notice in the manner prescribed in section 44 of the Act addressed to all objectors with or without naming them of the matters referred to in sub-rule (1). The publication of such notice shall be deemed to be a service of the notice on all objectors.

5. **Appearance before the arbitrators.**—The Authority shall be entitled to appear through such officer or agent as may be appointed by it in this behalf or through legal practitioners authorized by it and the objectors shall be entitled to appear personally or through their authorized agents or pleaders.

6. Powers of the arbitrators.—The arbitrators shall, for the purpose of holding any inquiry under these rules, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit, in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents,
- (c) administering to any party to the arbitration such interrogatories as may, in the opinion of the arbitrators, be necessary.

7. Statement by the objectors.—On the first day of hearing, or on any subsequent day which the arbitrators may appoint in this behalf, each objector shall file a statement in writing stating the grounds on which he objects to the assessment by the Authority.

8. Procedure in case of non-attendance of one or more objectors.—If any of the objectors does not appear on the day of hearing or on any other day to which the hearing may have been postponed, the arbitrators may proceed *ex parte* against such objector;

Provided that where the hearing has been adjourned and the objector, at such hearing, appears and shows sufficient cause for his previous non-appearance, he may, upon such terms as the arbitrators direct as to costs or otherwise, be heard as if he had appeared on the day fixed for his appearance.

9. Adjournment.—(1) The arbitrators may from time to time adjourn the proceedings.

(2) The arbitrators may, if sufficient cause is shown, at any stage of the proceedings grant time to the parties or any of them, and may make such order as they think fit with respect to the costs occasioned by such adjournment.

10. Adjournment after objections for further hearings.—After the day fixed for the filing of the objections the arbitrators shall adjourn the proceedings to a subsequent day for further hearing.

11. Right to begin.—The Authority shall have the right to begin and shall state its case and produce its evidence.

12. Statement and production of evidence by objectors.—(1) The objectors, in the order directed by the arbitrators, shall then state their cases and produce their evidence, if any.

(2) The Authority may then produce its evidence if any, in rebuttal.

13. Record of the proceedings.—The arbitrators shall record the summary of evidence tendered before them. The summary of such evidence and any relevant documents filed before them shall form a part of the records of the proceedings.

14. Arguments.—After the conclusion of the evidence of the parties the Authority shall be heard in support of its case and the objectors, in the order directed by the arbitrators, in support of their case. The Authority shall be entitled to reply generally on the whole case and also regarding each objector individually.

15. Continuity of proceedings.—Where the Central Government appoints another person to take the place of an arbitrator who has died, resigned or is removed or refuses or neglects to perform his duties or becomes incapable of performing the same, then notwithstanding such change, the proceedings shall be continued and shall be deemed to have taken place as if there has been no change in the arbitrators.

16. Power of arbitrators to inspect.—The arbitrators may, at any stage of the proceedings, inspect any property in respect of which the betterment charge is to be determined.

17. Award.—(1) The arbitrators, after hearings have been concluded, shall pronounce their award on the day fixed for the purpose and shall communicate the substance thereof to each objector.

Explanation.—The award may be in parts dealing with different objectors or different sets of objectors whose objections involve substantially the same question for determination.

(2) The award shall specify the betterment charge regarding each property and apportionment, if any, of such charge between the owner of the property or any other person having an interest therein, and shall state briefly the grounds on which the decision of the arbitrators is based.

(3) The award shall also state the amount of costs incurred on the proceedings and by whom and in what proportions they are to be paid.

(4) When the assessment of the Authority is not upheld the cost shall ordinarily be paid by the Authority unless the arbitrators are of opinion that the assessment by the Authority was not excessive or that there were reasonable grounds for the assessment by the Authority.

18. Award to be signed.—(1) The award shall be dated and signed by arbitrators and, when once signed, shall not afterwards be altered or added to, except as provided in sub-rule (2).

(2) Clerical or arithmetical mistakes in the award or errors arising therein from any accidental slip or omission may be corrected by such officer as may be appointed by the Central Government in this behalf on his own motion or on the application of any of the parties.

19. Time for making the award.—The arbitrators shall make the award within six months of their entering upon the arbitration:

Provided that the Central Government may, if it thinks fit, whether the time for making the award has expired or not, enlarge from time to time, the time for making the award.

20. Award to be sent to the Authority and the Central Government.—(1) As soon as may be but not later than one month after the pronouncement of the award, the arbitrators shall send the award to the Authority and a copy of it to the Central Government.

(2) Any objector may, on application and payment of the fees as are prescribed by sub-rule (3), obtain a copy of the award from the Authority.

(3) Fees for a copy of the award shall be charged at the following rates, namely,

(i) for the first 200 words or under	00.80 nP.
(ii) for every additional 100 words or fraction thereof	00.40 nP.
(iii) in case the copy is required urgently	double the above rates.

21. Fees of the arbitrators.—The Authority shall pay to the arbitrators such fees as the Central Government may fix.

[No. F. 12-197/57-I.S.G.]

A. K. DAR, Under Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 25th August, 1961

G.S.R. 1112.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules in supersession of the existing rules regulating the method of recruitment to the post of Technical Assistant in the office of the Directorate General of Supplies and Disposals, New Delhi.

1. Short title.—These rules may be called the Directorate General of Supplies and Disposals (Technical Assistant) Recruitment Rules, 1961.

2. Application.—These rules shall apply to recruitment to posts specified in Column I of the Schedule annexed hereto.

3. Number, classification and scale of pay.—The number, classification of the post and the scale of pay attached thereto shall be as specified in columns 2, 3 and 4 of the said Schedule.

4. Method of recruitment.—The method of recruitment and other matters connected therewith shall be as specified in columns 5 to 12 of the said Schedule.

Provided that the age limit specified in column 6 may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and displaced persons and other categories of persons in accordance with the orders that may be issued by the Government of India from time to time.

5. Disqualification.—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for an appointment to service; and

(b) no women whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

Name of the post	No. of post	Classification	Scale, of pay	Whether Selection post or non-selection post	Age limit for direct recruitment	Educational and other qualifications required	Whether age and educational qualifications prescribed will appl. in case of recruitment by promotion, or transfer	Period of probation if any	Method of recruitment i.e. whether by direct recruitment by promotion or by transfer and percentage of vacancies to be filled by various modes	In case of vacancies filled by promotion/transfer, grades, sources from which promotion, transfers are to be made	Circumstances in which UPSC is to be consulted in making recruitment	Remarks
I	2	3	4	5	6	7	8	9	10	11	12	13
			Rs.									
Technical Assistant	25	Non-gazetted Class III Non-ministerial	210-10-290-15-320-EB-15-425	..	25 years	A diploma in Electrical or Mechanical Engg. from a recognised Institution with experience in a Workshop or a Drawing office for at least one year.	Does not arise.	Two years	Direct recruitment	Does not arise	Does not arise.	..

[No. E.I.49(1)/61-ESIL.]

R. RAJAGOPALAN, Under Secy.

(Central Boilers Board)

New Delhi the 28th August 1961

G.S.R. 1113.—The following draft of certain regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 30th September 1961.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

DRAFT REGULATION

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1961

2. In the Indian Boiler Regulations, 1950, in Regulation 282:—

(i) for item (iv) of clause (a), the following item shall be substituted, namely:—

“(iv) Bronze Castings shall comply with the following requirements, namely:—

Chemical Composition

Tin	5.5 to 8 per cent
Lead	2 per cent maximum
Zinc	3 to 5 per cent
Nickel	1 per cent
Total of all elements other than copper and those set out above. }	0.3 per cent maximum
Copper	Balance

Physical Properties

Sand cast (cast on)	Ultimate tensile strength Minimum (Kg./mm ²)	22(14 tons/sq. in.)
	Elongation per cent minimum on standard test piece C	8
Sand cast (Separately cast)	Ultimate tensile strength, Minimum (Kg./mm ²)	23(14.5 tons/sq. in.)
	Elongation per cent minimum on standard test piece C	12

(2) In clause (c) for the figures, symbol and abbreviation “425°F”, the figures, symbol and abbreviation “435°F” shall be substituted.

[No. S&PII/BL-9(21)/60]

M. N. KALE, Secy.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

New Delhi, the 31st August 1961

G.S.R. 1114.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Delhi Polytechnic Class III and IV Recruitment Rules, 1958 published with the notification of the Government of India in the Ministry of Scientific Research and Cultural Affairs No. S.O. 674, dated the 23rd February, 1959, namely:—

(1) These rules may be called the Delhi Polytechnic Class III and IV Recruitment (Amendment) Rules, 1961.

(2) In the Schedule to the Delhi Polytechnic Class III and IV Recruitment Rules, 1958 against serial No. 4 Upper Division Clerk, after the existing entry under column 15, the following entry shall be inserted, namely:—

“The post of U.D.C. (Cashier) with a special pay of Rs. 30 per month will be filled on the basis of selection from amongst the Upper

Division Clerks. In case, no suitable U.D.C. is available or willing to be appointed as Cashier, it will be filled from amongst permanent or quasi-permanent Lower Division Clerks on the basis of selection."

- (3) The following note should be substituted for the existing Note No. 3 to the Schedule of Recruitment Rules:—

- "(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and
(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule."

[No. F. 5-53/61-T.1.]

H. S. SHAHANI,

Assistant Educational Adviser.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi the 31st August 1961

G.S.R. 1115.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Ministry of Food and Agriculture (Class I Posts in the Soil Conservation Division) Recruitment Rules, 1961, published with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. 11-5/60-Estt.I, dated the 13th March 1961, namely:—

1. These Rules may be called the Ministry of Food and Agriculture (Class I Posts in the Soil Conservation Division) Recruitment (Amendment) Rules, 1961.
2. In the Schedule to the Ministry of Food and Agriculture (Class I Posts in the Soil Conservation Division) Recruitment Rules, 1961, after item 3 and the entries relating thereto, the following items and entries shall be inserted, namely:—

RECRUITMENT RULES FOR THE TECHNICAL POSTS IN THE SOIL (Department of

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
4. Dy. Adviser on Soil Conservation (Training & Research).	1	General Central Service Class I.	Rs. 1000—50—1400 plus special Pay of Rs. 150/- subject to revision in the light of the Pay Commission's recommendations.	Not applicable	Preferably below 50 years.	Essential : (i) Master's degree or Associateship of I.A.R.I. in Agronomy or Soil Science or Agricultural Chemistry or a Degree or Diploma in Forestry or a Degree in Engineering or equivalent qualifications.

CONSERVATION DIVN. IN THE MINISTRY OF FOOD AND AGRICULTURE
(Agriculture)

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees.	Period of Probation, if any.	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods.	In case of rectt. by promotion/transfer, grades from which promotion to be made.	If a DPC exists what is its composition.	Circumstances in which U.P.S.C. is to be consulted in making rectt.
8	9	10	11	12	13
Not applicable,	Two years	Direct recruitment.	Not applicable	Not applicable	As required under the rules.

1	2	3	4	5	6	7
						<p>(ii) About 10 years experience in a responsible capacity of which at least 5 years should have been on research work in Soil and Water Conservation.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p> <p><i>Desirable :</i> Experience in training in Soil Conservation.</p>
5. Deputy Adviser on Soil Conservation (Inspection and Coordination).	1	Do.	Do.	Do.	Do.	<p><i>Essential :—</i></p> <p>(i) Master's degree or Associateship of I.A.R.I. in Agronomy or Soil Science or Agricultural Chemistry or a Degree in Engineering or equivalent qualifications.</p> <p>(ii) About 10 years experience in responsible capacity of which 5 years should have been in field work on Water and Soil Conservation including planning of Soil Conservation programmes.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p>

8	9	10	11	12	13
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Do.

Do.

Do.

Do.

Do.

Do.

[No. 11-5/60-Estt.I.]

I. D. KHANNA, Under Secy.

(Department of Agriculture)

New Delhi, the 1st September 1961

G.S.R. 1116.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment of persons to the Statistical (Class III) posts at the National Dairy Research Institute, Karnal, namely:—

(1) **Short title.**—These rules may be called the National Dairy Research Institute (Statistical Class III Posts) Recruitment Rules, 1961.

(2) **Application.**—These rules shall apply for recruitment to the posts specified in column 1 of the Schedule to these rules.

(3) **Number, classification and scale of pay.**—The number of posts, their classification and the scales of pay attached to them shall be as specified in columns 2 to 4 of the said Schedule.

(4) **Method of Recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 12 of the Schedule aforesaid; Provided that the maximum age limit may be relaxed in the case of Scheduled Castes/Tribes candidates and other special categories in accordance with the orders issued by the Government of India, from time to time.

(5) **Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointment, provided that the Government of India may, after being satisfied that there are special grounds for doing so, exempt, any such candidate from the operation of this rule.

SCHE

Recruitment Rules for the Statistical Posts in the

Name of post	No. of posts	Classification	Scale of Pay	Whether selection post or non-selection post]	Age limit for direct recruits
1	2	3	4	5	6
Rs.					
Statistical Assistant.	1	Class III Non-ministerial Non-gazetted.	210—10—290—15— 320—E.B.—15— 425	Selection post	18—25 years

DULE

National Dairy Research Institute, Karnal

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct rectrl. or by promotion or transfer and percentage of the vacancies to be filled by various methods	In case of rectrl. by promotion, transfer, grades from which promotion to be made	Circumstances in which U.P.S.C. is to be consulted in making rectrl.
7	8	9	10	11	12
A degree in Statistics or Mathematics of a recognised University and at least one year's training in Statistics at a recognised institution or at least one year's experience in handling data relating to Agriculture/Dairy/Animal Husbandry Statistics.	Age limit relaxable for departmental candidates	Two years	By Direct recruitment as well as by promotion on a 50:50 basis.	Promotion Senior Computer with three years service in the grade.	Not applicable.

1	2	3	4	5	6
			Rs.		
Senior Computer	I	Class III Non- ministerial Non-gazetted	150—5—160—8—240 E.B.—8—280—10— 300.	Non Selection post.	18—25 years.

7	8	9	10	11	12
<i>Essential</i>					
A degree in Mathematics or a degree in Statistics, Economics, Commerce Science with Mathematics as one of the subjects during college career.	Age limit relaxable for departmental candidates.	Two years	By promotion failing which by direct recruitment.	Promotion Assistant Computer with three years service in the grade.	Not applicable.
<i>Desirable</i>					
Experience of computation work.					

[No. 4-120/60-DD.]

N. S. SREEKANTIAH, Under Secy.

